

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

NETSPHERE, INC.,
MANILA INDUSTRIES., INC., AND
MUNISH KRISHAN

PLAINTIFFS,

V.

JEFFREY BARON AND
ONDOVA LIMITED COMPANY,

DEFENDANTS.

[illegible]

CIVIL ACTION NO. 3:09-CV-0988-F

THE RECEIVER'S NOTICE OF TWENTY-FOURTH COMMUNICATION TO FORMER BARON ATTORNEYS

On December 29, 2011, counsel for the Receiver sent a letter (the “Letter”) to all attorneys and firms who have (1) confirmed to the Receiver that they had, at one time, been engaged to represent Mr. Jeffrey Baron and/or one or more of the other Receivership Parties, (2) confirmed to the Receiver that Mr. Baron and/or one or more of the other Receivership Parties failed to pay them for certain legal services rendered (the “Attorney Claims”), and (3) submitted to the Receiver a sworn declaration relating to their Attorney Claims (the “Former Baron Attorneys”). A true and correct copy of the Letter is attached as Exhibit A.

The Letter provides the Former Baron Attorneys with notification and copies of the following filings and order in this matter and related appeals to the Fifth Circuit:

- *The Receiver's Notice of the Receivership's Projected Financial Picture as of December 31, 2011* [Docket No. 736];
- *Notice of Appeal to the United States Court of Appeals for the Fifth Circuit*, filed by Messrs. Schepps and Baron [Docket No. 759];
- *Trustee's Response to Appellants Motion to Allow Filed Reply Briefing Etc. Filed on 12/09/2011 by the Appellants*, filed by the Trustee and Ondova Limited

Company in Fifth Circuit Case Nos. 10-11202, 11-10113, 11-10289, 11-10390, and 11-10501; and

- *Order* granting Messrs. Schepps and Baron's *Motion to Allow Filed Reply Briefing, and for Relief in the Alternative*, issued by the Fifth Circuit in Case Nos. 10-11202, 11-10113, 11-10289, 11-10390, and 11-10501.

Additionally, the Letter informs the Former Baron Attorneys that the Court's *Order Regarding Baron's Notice of Appeal to the United States Court of Appeals for the Fifth Circuit* [Docket No. 586], which stayed the parties from taking further action relating to, among other orders, the Court's *Findings of Fact, Conclusions of Law, and Order on Assessment and Disbursement of Former Attorney Claims* [Docket No. 575], is still in effect.

Respectfully submitted,

/s/ Barry M. Golden

Barry M. Golden

Texas State Bar No. 24002149

Peter L. Loh

Texas Bar Card No. 24036982

GARDERE WYNNE SEWELL LLP

1601 Elm Street, Suite 3000

Dallas, Texas 75201

(214) 999-4667 (facsimile)

(214) 999-3000 (telephone)

bgolden@gardere.com

ploh@gardere.com

**ATTORNEYS FOR THE RECEIVER,
PETER S. VOGEL**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served via the Court's ECF system on all counsel of record on December 29, 2011.

/s/ Peter L. Loh

Peter L. Loh

Exhibit A

GARDERE

attorneys and counselors ■ www.gardere.com

Peter L. Loh
Direct: 214-999-4391
Direct Fax: 214-999-3391
ploh@gardere.com

December 29, 2011

Former Counsel for Jeffrey Baron
Or Other Receivership Parties
Making Attorney Claims

Via E-mail

Re: *Netsphere Inc., et al. v. Jeffrey Baron, et al.*; Civil Action No. 3:09-cv-0988-F,
U.S. District Court, Northern District of Texas, Dallas Division;

**Notice of Recent Filings Related to Attorney Claims (Docket Nos. 736 & 759
and certain filings and orders in related Fifth Circuit appeals).**

Counsel:

As you know, I am counsel for Peter S. Vogel, the Receiver of an individual named Mr. Jeffrey Baron and certain additional "Receivership Parties" (a phrase defined in the Receiver's prior correspondence to you). In an effort to keep you apprised of all developments regarding your Attorney Claims (a phrase also defined in the Receiver's prior correspondence to you), I am writing to advise you of the following filings and order in the above-referenced matter and related appeals to the Fifth Circuit:

- *The Receiver's Notice of the Receivership's Projected Financial Picture as of December 31, 2011* [Docket No. 736];
- *Notice of Appeal to the United States Court of Appeals for the Fifth Circuit*, filed by Messrs. Schepps and Baron [Docket No. 759];
- *Trustee's Response to Appellants Motion to Allow Filed Reply Briefing Etc. Filed on 12/09/2011 by the Appellants*, filed by the Trustee and Ondova Limited Company in Fifth Circuit Case Nos. 10-11202, 11-10113, 11-10289, 11-10390, and 11-10501; and
- *Order granting Messrs. Schepps and Baron's Motion to Allow Filed Reply Briefing, and for Relief in the Alternative*, issued by the Fifth Circuit in Case Nos. 10-11202, 11-10113, 11-10289, 11-10390, and 11-10501.

Copies of such filings and order are being sent to you as attachments to the same e-mail transmitting this letter.

In my prior correspondence, I advised you of the Court's *Order Regarding Baron's Notice of Appeal to the United States Court of Appeals for the Fifth Circuit* [Docket No. 586] (the "Stay

Former Counsel Of Jeffrey Baron
Or Other Receivership Parties
Making Attorney Claims

December 29, 2011

Page 2

Order”), which stayed the parties from taking further action relating to, among other orders, the Court’s *Findings of Fact, Conclusions of Law, and Order on Assessment and Disbursement of Former Attorney Claims*. [Docket No. 575.] The Stay Order is still in effect. The Receiver and his counsel will keep you advised of any developments.

If you have any questions, please feel free to contact me at 214.999.4391 or ploh@gardere.com.¹

Sincerely,



Peter L. Loh, Counsel for Receiver

¹ Neither the Receiver or his counsel (including myself and the other attorneys of Gardere Wynne Sewell LLP) are your attorneys and cannot provide you with legal advice. Furthermore, the fact that you received this letter shall not be taken as an indication that you will or will not be compensated for some of all of your Attorney Claims (a phrase defined in the Receiver’s prior letter to you, as stated above). Lastly, to the extent that you provided legal services for which you have not been paid, and such legal services were provided to Ondova Limited Company, currently a Chapter 11 debtor in Bankruptcy Case No. 09-34784-SGJ-11 (the “Ondova Bankruptcy Case”), and such services were performed prior to the bankruptcy filing date of July 27, 2009, your claim, if it was timely filed, shall be paid (if at all) as a general unsecured claim in the Ondova Bankruptcy case and shall not (absent a specific court order) be paid by the Receiver.